

Application No. 10/607,373

REMARKS

Applicants thank the Examiner for the courtesies extended to their representatives at the April 22, 2005 personal interview. Applicants' separate record of the substance of the interview is contained in the following remarks.

Applicants have again amended the Abstract, this time eliminating the second formula as discussed in the interview so that the abstract will fit onto a single sheet of paper, thereby eliminating this ground for rejection.

Applicants' representatives and the Examiner discussed the outstanding issues regarding the rejection of claims 1, 10, and 105 under §112, second paragraph with respect to the term "metal-containing moiety". As confirmed by the Examiner in a telephone call to Attorney Judith Byorick on April 27, 2005, this issue is resolved and this ground for rejection has been withdrawn.

As discussed during the interview between the Examiner and Applicants' representatives, while Applicants remain of the position set forth in the previous Amendment with respect to the rejections under §112, second paragraph regarding embodiments wherein the "R" variables are joined together to form a ring and wherein the "R" variables are joined to a phenyl ring in the central structure, to facilitate prosecution, Applicants are amending claims 1, 10, and 105 to remove the language directed to these embodiments and are cancelling the dependent claims directed to these embodiments so that Applicants can pursue these embodiments in a divisional application.

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As set forth in the previous Amendment, while Applicants are of the position that the original language of the claims is clear to one of ordinary skill in the art, to facilitate prosecution, Applicants have amended claims 1, 10, 48, and 105 as indicated and as discussed during the interview to clarify that the "central structure" is the chromogen moiety. Applicants have also amended the specification to bring it into conformity with the amended claim language.

In addition, as set forth in the previous Amendment, while Applicants are of the position that the original claim language did not lead to confusion, to facilitate prosecution, Applicants have changed all occurrences of the lower case "y" to a lower case "p" in the claims as indicated and as discussed during the interview to distinguish this "y" from the uppercase "Y" in the structures. Applicants have also amended the specification to bring it into conformity with the amended claim language.

Further, as set forth in the previous Amendment and discussed during the interview, the occurrences of the variable "z" are meant to have the same meaning each time they occur in the claim language. As discussed during the interview, Applicants have amended the structures to remove the subscripting from the first occurrence of the "z" so that both occurrences of "z" are the same size, thereby further clarifying this matter. Applicants have also amended the specification to bring it into conformity with the amended claim language.

Regarding the Examiner's statement that there is insufficient antecedent basis in claims 29, 30, 34, 35, 39, 40, 44, and 45 for the limitation "heteroatom", while Applicants remain of the position set

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forth in the previous Amendment that each finds antecedent basis for the alkyl, aryl, arylalkyl, or alkylaryl groups it recites in the claims from which it depends because the hetero atoms it recites are possibly present in these groups as defined in the specification at, for example, page 48, line 8 to page 50, line 11, which recites the possibility of hetero atoms such as oxygen, nitrogen, sulfur, silicon, phosphorus, and the like in these groups for R₁, R₂, R₃, and R₄, to facilitate prosecution, Applicants have amended the claims from which these claims depend to recite expressly the specification language defining the alkyl, aryl, arylalkyl, and alkylaryl groups.

Applicants believe that the foregoing amendments place the claims in condition for allowance, and accordingly respectfully request reconsideration and withdrawal of all grounds for rejection.

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In the event the Examiner considers personal contact advantageous to the disposition of this case, he is hereby authorized to call Applicant(s) attorney, Judith L. Byorick, at Telephone Number (585) 423-4564, Rochester, New York.

Respectfully submitted,



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